

**IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO**

**STATE OF NEW MEXICO, *ex rel.*
State Engineer**

Plaintiff,

v.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 JEC-ACE

**RIO CHAMA STREAM SYSTEM
Section 3: Rio Nutrias, Rio Cebolla
& Canjilon Creek**

**Subfile Nos. CHNU-002-0012
CHNU-002-0015
CHCB-001-0001D
CHCB-003-0002
CHCB-003-0004
CHCB-003-0005**

MOTION FOR DEFAULT JUDGMENT

COMES NOW the plaintiff, State of New Mexico, *ex rel.*, State Engineer, by and through his attorneys, and moves the Court to enter its order granting default judgment against the following defendants:

Margie Atencio	CHNU-002-0012
Silviano Atencio	CHNU-002-0012
Estanislao Roybal	CHNU-002-0015
Lucia Roybal	CHNU-002-0015
Gilbert L. Maes	CHCB-001-0001D
Pablo Archuleta Jr.	CHCB-003-0002
Juan Archuleta	CHCB-003-0002
Phyllis Madrid	CHCB-003-0004 CHCB-003-0005

Jose M. Madrid CHCB-003-0004
 CHCB-003-0005

and as grounds therefore plaintiff states:

1. The Court has jurisdiction over the defendants named above as shown by affidavits of personal service filed April 10, 2001 (Docket Nos. 6221, 6223), and waivers of service of summons filed January 29, 2001(Docket Nos. 6138, 6139).

2. The defendants named above are in default for failure to appear, answer, or otherwise defend in this cause as shown by the Clerk's Certificate of Default filed August 23, 2002 (Docket No. 6826).

3. A copy of the Clerk's Certificate of Default (6826) was mailed to the defendants named above on August 23, 2002.

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendants incorporating the terms of the State's proposed consent orders in these subfiles and in conformance with the April 17, 2000 Rio Nutrias and the August 11, 2000 Rio Cebolla Hydrographic Surveys and Reports, and revisions thereto.

DATED: September 23, 2002

Respectfully submitted,

/electronic signature/
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CERTIFICATE OF SERVICE

I certify that the foregoing Motion for Default Judgment was mailed to the following persons on September 23, 2002.

/electronic signature/
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